

House Bill 1024 (AS PASSED HOUSE AND SENATE)

By: Representative Williams of the 4<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 64 of Title 36 of the Official Code of Georgia Annotated, relating to municipal and county recreation systems, so as to provide that where a minimum recreation tax, maximum recreation tax, or minimum and maximum recreation tax has been established by petition and referendum, such minimum or maximum or both may thereafter be removed by action of the municipal or county governing body, subject to approval by the voters of the municipality or county; to provide that in such case budgetary control over the recreation fund shall pass to the governing authority; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 64 of Title 36 of the Official Code of Georgia Annotated, relating to municipal and county recreation systems, is amended by adding a new Code section to read as follows:

"36-64-15.

(a) If a municipality or county has adopted the provisions of this chapter at an election, thereby establishing a minimum recreation tax, a maximum recreation tax, or a minimum and maximum recreation tax, then such minimum or maximum or both may be removed as provided in this Code section.

(b) In order to so remove the minimum or maximum or both, the governing body of the municipality or county shall adopt a resolution to that effect, subject to approval by a majority of the voters of the municipality or county at the next general or special election of the municipality or county which is held more than 45 days after the date of the adoption of the resolution by the governing body. Such resolution shall specify the ballot language to be used in presenting the question and the governing body shall provide a copy of the resolution to the appropriate election officials. If a majority of the voters voting on the question of removal vote in favor, the minimum or maximum or both shall be removed as presented to the voters.

(c) Where a minimum or maximum or both has or have been removed as authorized by this Code section, the amount of municipal or county funding for the recreation system of the municipality or county shall thereafter be determined by the governing body of the municipality or county in its discretion; and the municipal or county governing body shall assume budgetary control over the recreation fund and any moneys therein."

## **SECTION 2.**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

## **SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.